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Attorneys for Defendant
VENTANA MEDICAL SYSTEMS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

BIOGENEX LABORATORIES, INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

CASE NO.: C03-03916-JF

**JOINT STATUS REPORT,
STIPULATION AND
~~PROPOSED~~ ORDER**

BIOGENEX LABORATORIES, INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

CASE NO.: C05-0860-JF

Pursuant to the Court's request at the August 5, 2005 Case Management Conference, the parties set forth the current deadlines under the Patent Local Rules below. However, in order to accommodate scheduling conflicts during the holidays the parties propose that certain Patent Local Rules deadlines be modified, as follows:

Current	Modified	Deadline
August 19, 2005	Same	Disclosure of Asserted Claims and Preliminary Infringement Contentions (Patent Local Rule 3-1)
October 3, 2005	Same	Preliminary Invalidity Contentions (Patent Local Rule 3-3)
October 17, 2005	Same	Exchange of Proposed Terms and Claim Elements for Construction (Patent Local Rule 4-1)
November 7, 2005	Same	Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent Local Rule 4-2)
December 2, 2005	December 16, 2005	Joint Claim Construction and Prehearing Statement (Patent Local Rule 4-3)
January 2, 2006	January 27, 2006	Completion of Claim Construction Discovery (Patent Local Rule 4-4)
January 16, 2006	February 10, 2006	Opening Claim Construction Brief (Patent Local Rule 4-5(a))
January 30, 2006	March 3, 2006	Responsive Claim Construction Brief (Patent Local Rule 4-5(b))
February 6, 2006	March 17, 2006	Reply Claim Construction Brief (Patent Local Rule 4-5(c))

The parties request that a technology tutorial be scheduled for March 31, 2006, or as soon thereafter as the Court's calendar may permit, and that a *Markman* hearing be scheduled approximately one week after the technology tutorial.

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1 Dated: August 12, 2005

STRADLING YOCCA CARLSON & RAUTH
Professional Corporation

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3 By: Paul L. Gale
4 Paul L. Gale

5 Attorneys for Plaintiff
6 BIOGENEX LABORATORIES, INC.

7 Dated: August 12, 2005

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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9 By: Roger J. Chin
10 Roger J. Chin

11 Attorneys for Defendant
12 VENTANA MEDICAL SYSTEMS, INC.

13 **ORDER**

14 PURSUANT TO STIPULATION, the modified Patent Local Rules deadlines are hereby
15 adopted. A technology tutorial is scheduled for 3/31, 2006, at 9 AM.
16 A Markman hearing is scheduled for 4/7, 2006, at 9 AM.

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19 Dated: 8/25/05

20 Jeremy Fogel
HON. JEREMY FOGEL
UNITED STATES DISTRICT JUDGE